



आरत का राजपत्र

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इस भाग में विभिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 3rd April, 1993/Chaitra 13, 1915 (Saka)

The following President's Act is published for general information:—

THE MOTOR VEHICLES (UTTAR PRADESH AMENDMENT) ACT, 1993.

NO. 5 OF 1993

Enacted by the President in the Forty-fourth Year of the
Republic of India.

An Act further to amend the Motor Vehicles Act, 1988 in its
application to Uttar Pradesh.

In exercise of the powers conferred by section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1993, the President is pleased to enact as follows:—

1. (1) This Act may be called the Motor Vehicles (Uttar Pradesh Amendment) Act, 1993.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall be deemed to have come into force on the 16th day of January, 1993.

2. In section 103 of the Motor Vehicles Act, 1988 (hereinafter referred to as the principal Act), after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) It shall be lawful for a State transport undertaking to operate on any route as stage carriage, under any permit issued therefor to such undertaking under sub-section (1), any vehicle placed at the disposal and under the control of such undertaking by the owner of such vehicle under any arrangement entered into between such owner and the undertaking for the use of the said vehicle by the undertaking.”.

Short title,
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Amend-
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section
103 of
Act
59 of 1988.

Repeal
and
saving.

3. (1) The Motor Vehicles (Uttar Pradesh Amendment) Ordinance, 1993 is hereby repealed.

Ord.
14 of 1993.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

SHANKER DAYAL SHARMA,
President.

B. R. ATRE,
Joint Secy. to the Govt. of India.

Reasons for the enactment

The Motor Vehicles (Uttar Pradesh Amendment) Act, 1989 (Act 8 of 1989) was enacted to amend the Motor Vehicles Act, 1939 in its application to Uttar Pradesh to authorise the Uttar Pradesh State Transport Undertaking to operate on any route as stage carriage, any vehicle placed at the disposal and under the domain and control of the said Undertaking by the owner of such vehicle under an agreement entered into between such owner and the said Undertaking for the use of such vehicle by the said Undertaking under a permit issued under the 1939 Act. Consequent upon the repeal of the 1939 Act, by the Motor Vehicles Act, 1988 (59 of 1988) the aforesaid provisions under the 1939 Act ceased to operate on and from July, 1989. The Undertaking has been facing great difficulties in providing adequate road transport services because of the acute paucity of buses in its fleet.

2. In order to remove the said difficulties and to provide adequate road transport services on such routes the Motor Vehicles Act, 1988 was amended for local application in the State of Uttar Pradesh, through the Motor Vehicles (Uttar Pradesh Amendment) Ordinance, 1993 (Ord. 14 of 1993) when the Parliament was not in session.

3. Parliament has, under article 357(1) (a) of the Constitution, conferred on the President the power of the Legislature of the State of Uttar Pradesh to make laws *vide* the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1993.

It has, therefore, been decided that the said Ordinance shall be replaced by the Presidential enactment.

4. Under the proviso to sub-section (2) of section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act 1993, the President shall, before enacting any President's Act, consult a Committee constituted for the purpose consisting of the members of both the Houses of Parliament. As the provisions of the aforesaid Ordinance will be expiring on 4th April, 1993, and it is necessary to replace that Ordinance by the President's Act before that date. The said Committee has not so far been constituted. It is not practicable to consult the said Committee prior to the enactment of this Bill. The measure is, accordingly, being enacted without reference to the said Committee.

S. P. BAGLA,
Secy. to the Govt. of India.
Ministry of Surface Transport.

